



**Summary Minutes of the
Delta Protection Commission Meeting
Thursday, November 21, 2013**

Oakley City Hall
City Council Chambers
3231 Main Street
Oakley, CA 94561

ADMINISTRATIVE AGENDA

1. Call to Order/Flag Salute

Chair Ruhstaller called the meeting to order at 6:04 p.m. and initiated the flag salute.

2. Roll Call

Present: Chair Ruhstaller, Vice Chair Piepho, Commissioners Bugsch, Burgis, Ferrara, Miller, Nottoli, Scriven, Thomson, and van Loben Sels. Ex-Officio Assemblymember Frazier was also present.

Absent were Commissioners Cabaldon, Ferguson, McGowan and Schubert.

A quorum was established.

3. Welcome and Public Comment. Opportunity for the Public to Address the Commission Regarding Items Not on the Agenda

Chair Ruhstaller welcomed the other members of the Commission, staff, and the audience members. He asked for any public comments and there were none.

CONSENT AGENDA

4. Approval of September 26, 2013 Meeting Minutes

It was moved by Vice Chair Piepho and seconded by Commissioner Burgis to approve the September 26, 2013 minutes; in a voice vote, the motion carried unanimously.

REGULAR AGENDA

5. Receive report on National Flood Insurance Program (NFIP) and federal Legislative efforts to amend Biggert-Waters Act of 2012 (flood insurance premiums)

Mr. John Moynier from Dewberry Consultants gave a presentation on the NFIP and answered questions from the Commission.

Chair Ruhstaller directed staff to compose a letter to the Federal Emergency Management Agency (FEMA) regarding the effect on Delta residents and businesses from the NFIP premium increases and the additional problem with FEMA's disregard of levees if those levees are not certified by the Army Corps of Engineers. A copy of the letter will be sent to the Delta Congressional delegation and state legislators representing the Delta.

Chair Ruhstaller asked for any public comment and there was none.

6. Receive report on agricultural consumptive use estimates in the Delta (Evapotranspiration "E.T." study)

Josué Medellín-Azuara, Ph.D., with the UC Davis Center for Watershed Sciences gave a presentation on the Delta ag consumptive use study.

The Commission engaged UC Davis to evaluate the use of remote sensing data for gauging evapotranspiration related to agricultural water use. Research showed that satellite data provided superior detail with comparable results overall to currently accepted estimation methods. DPC Executive Director Erik Vink explained the relevance of the study and what the next steps were. Alternate Commissioner Dante Nomellini stated that use of this satellite data for the region would provide good data to regulators while reducing regulatory reporting burdens on Delta agricultural producers. The Commission will provide this information to the Delta Watermaster for consideration for required data collection.

Chair Ruhstaller asked for any public comment and there was none.

7. Ratify amendment to DWR Contract for Feasibility Study for Delta Flood Risk Management Assessment District

Executive Director Vink described minor changes made to the scope of work since the Commission approved the scope at its June 2013 meeting.

Chair Ruhstaller asked for any public comment and there was none.

It was moved by Commissioner van Loben Sels and seconded by Vice Chair Piepho to ratify the \$250,000 contract with DWR and grant the Executive Director authority to incorporate additional non-substantive changes to the contract; in a voice vote, the motion carried unanimously.

8. Adopt Proposed 2014 DPC Meeting Calendar

It was moved by Commissioner Miller and seconded by Commissioner Burgis to adopt the 2014 DPC Meeting Calendar, with meeting dates on January 23, March 27, May 22, July 24, September 25 and November 20, and alternate meeting dates on February 27, April 24, June 26, August 28, October 23 and December 18, if needed; in a voice vote, the motion carried unanimously.

9. Adopt Resolution DPC 02-13 Amending Conflict of Interest Code

This item was pulled from the agenda and will be heard at a future meeting.

10. Discuss Commission's Appellate Jurisdiction

Executive Director Vink presented the Commission with information on DPC staff's assessment of rural residential homesites on agricultural parcels in the Primary Zone and sought direction from the Commission. Several Commissioners discussed the need for farmers to be able to provide housing for family members working on the agricultural operation, while also seeking to avoid "ranchette sprawl". Chair Ruhstaller requested to have this topic brought back to the Commission after the July 2014 Commission meeting; at that time, DPC should know if it will have funding to update the Land Use and Resource Management Plan (LURMP).

11. Receive Executive Director Report

Executive Director Vink presented the Commission with his report. Vice Chair Piepho suggested moving the December 19, 2013 scheduled strategic planning meeting into January so more Commissioners would be able to attend. Mr. Vink agreed to poll the Commissioners on their availability for a January meeting date.

Chair Ruhstaller asked for public comment. Mark Wilson (North Delta farmer and DPC liaison advisor to the Delta Conservancy) provided comments regarding rural residential homesites on agricultural parcels and the NFIP changes.

Commissioner Topper van Loben Sels announced that he would resign from the Commission effective December 31, 2013, and that his son, Justin van Loben Sels was elected by the North Delta Reclamation Districts to replace him effective January 1, 2014.

Chair Ruhstaller presented a Certificate of Appreciation to Commissioner van Loben Sels for his service on the Commission, and also presented a Certificate of Appreciation to Commissioner Nottoli to recognize his service as Chairman of the Commission from 2009 to 2013.

Chair Ruhstaller announced the DPC 20th Anniversary Celebration Reception had been held at Big Break Visitor Center with great success. He thanked everyone who came to speak and share in the Commission's celebration. He thanked the East Bay Regional Park District for offering the venue and providing the food, as well as Commissioners Piepho, Thomson, Nottoli and Ruhstaller for donating wines from their counties that were poured at the reception. Finally, Chair Ruhstaller thanked Commissioner Burgis for arranging the use of the City Council chambers and Vice-Chair Piepho for providing refreshments for meeting attendees. He announced that the next regular DPC meeting would be held on January 23, 2014 in West Sacramento.

12. Adjourn

Chair Ruhstaller adjourned the meeting at 8:22 p.m.